

SENATE BILL 3252
By Fowler

AN ACT to amend Tennessee Code Annotated, Title 56, relative to reports on medical malpractice claims.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 56, is amended by adding the following as a new, appropriately designated section:

56-__-____.

(a) Every insurer providing medical malpractice insurance to a Tennessee health care provider and every health care provider who maintains professional liability coverage through a plan of self-insurance shall submit to the department of commerce and insurance a report of the following information on forms prescribed by the department:

- (1) The number of claims by specialty from a previous report except for the first report filed under this statute which shall include the number of claims by specialty from the previous six (6) months;
- (2) The number of claims by specialty since the last report;
- (3) The number of reported claims converted to litigation;
- (4) The number of lawsuits from the a previous report except for the first report filed under this statute which shall include the number of claims by specialty from the previous six (6) months;
- (5) The number of lawsuits filed since the last report;
- (6) The number of lawsuits with a final disposition;
- (7) The amount paid on reported claims;
- (8) The amount paid on lawsuits filed, whether such lawsuits were settled or reached another final disposition, and if possible distinguish

between the amount which was paid for compensatory damages and the amount paid for non-compensatory damages; and

(9) The expenses paid in defense of claims including legal fees, fees for expert witnesses, court costs, deposition expenses and other related costs.

(b) The department shall take the numbers provided under (a)(1) and (2) and subtract the number from (a)(3) to reach a total which will be designated as the number of claims pending. The department shall take the numbers provided under (a)(4) and (5) and subtract the number from (a)(6) to reach a total which will be designated as the number of lawsuits pending.

(c) Such report described in subsection (a) shall be submitted biannually to the department of commerce and insurance by dates to be determined by the commissioner. Such report shall be considered a public record.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.